

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON FOR KITSAP COUNTY

CITY OF BREMERTON, a
Washington Municipal
Corporation,

Plaintiff,

vs.

WILLIAM SESKO and NATASHA
SESKO, and their marital
community,

Defendants.

NO. 97-2-01749-3

ANSWER OF DEFENDANTS

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KITSAP COUNTY CLERK

JUL - 1 1997

ROBERT L. FREUDENSTEIN

COME NOW the defendants, William and Natasha Sesko, and, in
answer to the allegations made by the plaintiff, respond as follows:

I. RESPONSES AND ANSWERS TO ALLEGATIONS

1. In answer to paragraph III.6, Defendants deny that they
are maintaining an "illegal junkyard" and further deny that such use
is "disallowed by the Bremerton Municipal Code";

2. In answer to paragraph III.11, Defendants are without
knowledge or information sufficient to form a belief as to the truth
of the allegation contained in paragraph III.11, and therefore denies
same.

3. In answer to paragraphs III.12 and III.13, Defendants deny
that a junkyard "thwarts fulfillment of the City of Bremerton's
zoning objectives for this area", and that "maintenance of a
junkyard is an unsightly visual blight which impairs the aesthetic
character of the area" because junkyards are a permitted use in the

ANSWER OF DEFENDANTS - 1

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1 area subject to a Special Use Permit (SUP);

2 3. Defendants deny the allegations contained in paragraphs
3 III.14 and III.15.

4 II. AFFIRMANTIVE DEFENSES AND ALLEGATIONS

5 By way further answer and affirmative defense, Defendants
6 assert as follows:
7

8 1. In response to Plaintiff's first cause of action,
9 Defendants assert that the action is untimely since the issue of
10 whether Defendants have violated the Bremerton Municipal Code is
11 still under administrative review;


12 2. In response to Plaintiff's second cause of action,
13 Defendants assert that the action is untimely since the issue of
14 whether Defendants have violated the Bremerton Municipal Code is
15 still under administrative review;
16

17 3. In response to Plaintiff's third cause of action,
18 Defendants assert that, because the issue of whether Defendants have
19 violated the Bremerton Municipal Code is still under administrative
20 review, the decision of the Planning Director is stayed under former
21 BMC 21.01.945
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1 WHEREFORE, the Defendants respectfully request that the
2 Complaint be dismissed in its entirety and that the Defendants be
3 awarded their costs and attorney's fees.

4 DATED, this 30th day of June, 1997.
5

6
7
8 By:


STEVEN B. MADSEN
WSBA No. 24382
Attorney for Defendants

CERTIFICATE OF SERVICE

I certify under penalty of perjury under the laws of the State of Washington that I delivered/mailed/faxed a copy of this document to:

Jane Ryan Koles, on July 1, 1997
at Bart Orchard, WA.

Signed St B Madsen.
Steven B. Madsen